

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

1. JOHN MCDONALD
2. SANDRA MCDONALD,

Plaintiffs,

V.

**STATE FARM FIRE AND CASUALTY
COMPANY, A Foreign for Profit Insurance
Corporation,**

Defendant.

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CASE NO. CIV-15-626-D

JURY DEMANDED

**DEFENDANT STATE FARM FIRE AND CASUALTY COMPANY'S
NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT:

PLEASE TAKE NOTICE that Defendant, State Farm Fire and Casualty Company (“State Farm”), hereby files its Notice of Removal (“Notice”). In support hereof, State Farm would respectfully show the Court as follows:

BASIS OF REMOVAL

1. On or about May 15, 2015, Plaintiffs (herein so called) filed their Original Petition (“Complaint”) in the matter entitled *John McDonald and Sandra McDonald v. State Farm Fire and Casualty Company*, in the District Court in and for Cleveland County, State of Oklahoma. A copy of the Complaint is attached as Exhibit “1” hereto, incorporated herein, and made a part hereof for all purposes.

2. Summons has not yet issued upon State Farm.

3. State Farm was and is a corporation organized in Illinois, with its principal place of business in Bloomington, McLean County, Illinois. Upon information and belief, Plaintiffs are citizens of Cleveland County, Oklahoma.

4. This Court has original jurisdiction over the matters made the basis of this lawsuit pursuant to 28 U.S.C. § 1332 in that (1) the Plaintiffs are Oklahoma citizens; (2) Plaintiffs are completely diverse from State Farm and; (3) the requisite amount in controversy has been satisfied.

5. The amount in controversy is satisfied, as Plaintiffs' actual plead damages are in excess of \$75,000. Exhibit 1 at 4.

6. Venue is proper because Cleveland County is located within the Western District of Oklahoma. 28 U.S.C. § 1441(a).

7. State Farm filed its Notice of Removal within the 30-day time period required by 28 U.S.C. §1446(b).

8. Additionally, State Farm files contemporaneously herewith all pleadings or other documents on file in the State Court matter, including a copy of the Court's docket sheet, attached hereto as Exhibit 2, with the exception of the Plaintiff's Complaint attached hereto as Exhibit 1.

WHEREFORE, PREMISES CONSIDERED, Defendant State Farm Fire and Casualty Company, pursuant to and in conformity with the requirements set forth in 28 U.S.C. § 1446, removes Case No. CJ-2015-582 in the District Court of Cleveland County, *John McDonald*

and Sandra McDonald v. State Farm Fire and Casualty Company, on this the 8th day of June, 2015.

Respectfully submitted,

By /s/Benjamin G. Kemble
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**ATTORNEYS FOR DEFENDANT,
STATE FARM FIRE AND CASUALTY
COMPANY**

**OF COUNSEL:
JONES, ANDREWS & ORTIZ, P.C.**

CERTIFICATE OF SERVICE

I hereby certify that on this the 8th day of June, 2015, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants and/or in accordance with the Federal Rules of Civil Procedure:

Mr. Michael D. McGrew OBA #013167
Michael D. McGrew & Associates, PC
400 N. Walker, Suite 115
Oklahoma City, OK 73102

/s/Benjamin G. Kemble
Benjamin G. Kemble